

CULPEPPER IP, LLLC
Kerry S. Culpepper, Bar No. 9837
75-170 Hualalai Road, Suite B204
Kailua-Kona, Hawai'i 96740
Telephone: (808) 464-4047
Facsimile: (202) 204-5181
E-Mail: kculpepper@culpepperip.com

Attorney for Plaintiff
HB Productions, Inc.

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

HB Productions, Inc.,) **Case No.: 1:19-cv-487-JMS-KJM**
) **(Copyright)**
Plaintiff,)
vs.) RULE 55(b)(1) MOTION FOR
Muhammad Faizan,) CLERK TO ENTER DEFAULT
) JUDGEMENT AGAINST
Defendant.) DEFENDANT MUHAMMAD
) FAIZAN; DECLARATION OF
) COUNSEL; BILL OF COSTS;
) PROPOSED ORDER;
) CERTIFICATE OF SERVICE
)
)
)

RULE 55(b)(1) MOTION FOR CLERK TO ENTER DEFAULT
JUDGMENT AGAINST DEFENDANT MUHAMMAD FAIZAN

TO: CLERK OF THE COURT:

Pursuant to Fed R. Civ. P. 55(b)(1), Plaintiff HB Productions, Inc. ("Plaintiff") hereby moves for the Clerk of the Court to enter default judgment

against Defendant Muhammad Faizan for the certain sum of \$270,902.58 and costs of \$4,410.98.

Defendant Muhammad Faizan was served a copy of the First Amended Complaint (“FAC”) via airmail on Feb. 14, 2020 per Fed R. Civ. P. 5(b)(2)(C). *See* Certificate of Service [Doc. #41]. Defendant Muhammad Faizan was served a copy of the original Complaint on October 4, 2019. *See* Proof of Service [Doc. #14]; *see also* Supplemental Declaration of Muhammad Waqar [Doc. #21-2]. Service of the original Complaint was performed in accordance with the Hague Service Convention and the internal law or rule in Pakistan. *See* Affidavit of Muhammad Abeed Atiff [Doc. #14-1].

Defendant Muhammad Faizan’s responsive pleading to the FAC was due on or before February 28, 2020 per Fed R. Civ. P. 15(a)(3). Entry of Default was entered against Defendant for having failed to appear or otherwise defend on March 3, 2020 [Doc. #43].

Plaintiff has attached an Affidavit of Counsel showing the amount due of \$270,902.58 and that Defendant is not a minor nor an incompetent person. The certain amount due was pleaded in the FAC. *See* FAC at ¶141, pg. 33.

For these reasons, Plaintiff request that the Clerk of the Court enter default judgment against Defendant Muhammad Faizan for the certain sum of \$270,902.58 and costs of \$4,410.98.

DATED: Kailua-Kona, Hawaii, March 4, 2020.

CULPEPPER IP, LLLC

/s/ Kerry S. Culpepper
Kerry S. Culpepper

Attorney for Plaintiff